

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

JIMMY BOLDEN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	2:17cv138-MHT
	)	(WO)
JEFFERSON S. DUNN,	)	
Commissioner of the	)	
Alabama Department of	)	
Corrections, et al.,	)	
	)	
Defendants.	)	

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state inmate, filed this lawsuit challenging the prison system's policy of allowing the sale of tobacco products to inmates in most facilities and claiming that his exposure to secondhand cigarette smoke has violated his rights under the Eighth Amendment and the Fourteenth Amendment's equal protection clause. He also brings a claim for conspiracy to violate his constitutional rights. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that defendants' motion for summary judgment be granted. There are no objections to the

recommendation. After an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 2nd day of March, 2020.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE